

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GFA Brands, Inc.

Opposers,

$$V.$$

Balance Bar Company,

Applicant.

JOINT REQUEST FOR EXTENSION OF  
TIME TO OPPOSE PURSUANT TO  
STIPULATION AND CONSENT OF THE  
PARTIES UNDER 37 C.F.R. 2.102(C)

Application Serial No. 75/774541  
Published: March 3, 2003

I hereby certify that this paper is being deposited with the United States Postal Service, postage prepaid, as Express Mail in an envelop addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202 on this date.

July 8, 2003

Express Mail Label No. EV337057810US

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07-08-2003

U.S. Patent &amp; TMOfc/TM Mail Rcpt Dt. #22

Pursuant to 15 USC 1063 and 37 C.F.R 2.102(c), GFA Brands, Inc. (an Ohio corporation having a business address at P.O. Box 397, 211 Knickerbocker Road, Cresskill, New Jersey 07626-0397), potential opposers herein, through their authorized attorneys, request that they be granted a one hundred and twenty (120) day extension of time within which to file an opposition against applicant Balance Bar Company, regarding the mark BALANCE. This mark was published for opposition in the Official Gazette of the United States Patent and Trademark Office on March 3, 2003 as Application Serial No. 75/775541 in International Class 29.

Potential opposers and applicant request that a one hundred twenty (120) day extension be granted, extending the deadline to oppose to November 6, 2003. This extension is necessary because the parties have reached an agreement amicably resolving this matter, but because of difficulties occurring due to Applicant's amendment to the identification of goods agreed upon by the parties the additional time is needed so as to protect Opposer's rights during the pendency of this

paperwork at the Trademark Office. Both parties are hopeful that the formalities will be completed shortly and that there will be no need to file a formal opposition.

Counsel for Opposer has contacted counsel for Applicant who has consented to this request for the additional time to oppose and is being served with a copy of this request via United States Mail, postage prepaid.

This request is being filed in triplicate (original plus two copies).

Respectfully submitted,

Date: July 8, 2003



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing JOINT REQUEST FOR EXTENSION OF TIME TO OPPOSE PURSUANT TO STIPULATION AND CONSENT OF THE PARTIES UNDER 37 C.F.R. 1.102(c) were served via first class U.S. Mail, postage prepaid, to Susan H. Frohling, Balance Bar Company, Three Lakes Drive, Northfield, Illinois 60093.

July 8, 2003

